

IN THE CIRCUIT COURT OF THE SECOND
JUDICIAL CIRCUIT, IN AND FOR LEON
COUNTY, FLORIDA

LEON COUNTY, a political
Subdivision of the State of Florida

Petitioner,

CASE NO. 2004 CA 1945

vs.

Parcel Nos. 128.1, 728.1, 128.2, 728.2,
128.3, 728.3,

JOHN COLIN ENGLISH, JR.; ENGLISH FAMILY
ENTERPRISES, LTD., a Florida limited partnership;
TALLAHASSEE HOUSING AUTHORITY; UNITED
STATES OF AMERICA, DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT; et al.

Defendants.

**STIPULATED FINAL JUDGMENT AND JOINT MOTION OF PETITIONER AND
DEFENDANTS TALLAHASSEE HOUSING AUTHORITY AND U.S.A. DEPT. OF HUD**
(Parcels 128.1/728.1, 128.2/728.2, 128.3/728.3)

THIS CAUSE having come on upon Joint Motion for the entry of a Stipulated Final Judgment made by Petitioner, LEON COUNTY, and Defendants, TALLAHASSEE HOUSING AUTHORITY (THA) and UNITED STATES OF AMERICA, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD), set forth herein below, and it appearing to the Court that the parties were authorized to enter into such motion, and the Court finding that the compensation to be paid by the Petitioner is full, just, and reasonable for all parties concerned, and the Court being fully advised in the premises, it is now, therefore,

ORDERED AND ADJUDGED that Defendants, THA and HUD, do have and recover from the Petitioner the sum of **\$480,000.00 (FOUR HUNDRED EIGHTY THOUSAND AND NO/100 DOLLARS)** in full payment for the property designated as Parcels 128.1/728.1; 128.2/728.2; and 128.3/728.3 herein taken, and for all other damages resulting to the remainder if less than the entire property was taken, and for all other damages of any nature, including interest, but exclusive of any attorney's fees and costs incurred in the defense of the proceedings pursuant to Sections 73.091 and 73.092, Florida Statutes (2003); and it is further

ORDERED AND ADJUDGED that Defendants, THA and HUD further have and recover from Petitioner, LEON COUNTY, the sum of **\$72,440.61 (SEVENTY-TWO THOUSAND FOUR HUNDRED FORTY AND 61/100 DOLLARS)**, in full payment for any and all attorney's fees incurred in the defense of the proceedings pursuant to §73.092(1), *Florida Statutes* (2003), and it is further

ORDERED AND DIRECTED that the Petitioner shall deposit the sum of **\$291,957.61 (TWO HUNDRED NINETY-ONE THOUSAND NINE HUNDRED FIFTY-SEVEN AND 61/100 DOLLARS)** into the Registry of the Clerk of the Court, this sum being the difference between the settlement amount (\$552,440.61) and Petitioner's initial deposit (\$260,483.00), which initial deposit has previously been disbursed to the Defendants, and it is

ORDERED AND DIRECTED that the Clerk of this Court shall forthwith pay to the trust account of Charles S. Stratton, Esq., 215 S. Monroe, Suite 400, Tallahassee, FL 32302, the aforesaid sum of **\$291,957.61 (TWO HUNDRED NINETY-ONE THOUSAND NINE HUNDRED FIFTY-SEVEN AND 61/100 DOLLARS)** SUBJECT to the interests of the parties of record having an interest in the subject property and those having been named hereinabove, including without limitation, real property taxes; and it is further

ORDERED that title to the property legally described in the Petition and Order of Taking herein as Parcels 128.1/728.1; 128.2/728.2; and 128.3/728.3, which vested in the Petitioner pursuant to the Order of Taking, is approved, ratified, and confirmed; and it is further

ORDERED that the Court shall reserve jurisdiction for the determination of any reasonable costs incurred by the Defendants pursuant to §73.091, *Florida Statutes* (2003), and of any reasonable attorney's fees incurred for apportionment pursuant to §73.092(2), *Florida Statutes* (2003).

DONE and ORDERED in Chambers at Tallahassee, Leon County, Florida, this ____ day of October 2004.

JONATHAN E. SJOSTROM
Circuit Judge

Conformed copies to:

Charles S. Stratton, Esq.
Robert D. Stinson, Esq.
Daniel J. Rigo, Esq.

JOINT MOTION

COMES NOW, the parties to this action, by and through their undersigned attorneys, and respectfully moves this Honorable Court for entry of the foregoing Stipulated Final Judgment this ____ day of October 2004.

Respectfully Submitted,

Charles S. Stratton, Esq.
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